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IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

NATHANIEL SHAW,  
PLAINTIFF,

V.

D. T. MARSHALL, et al.,  
DEFENDANTS.

CASE NO. 2:07-CV-00606-ITL-CSC

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U.S. DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA

MOTION FOR LEAVE TO FILE AN OBJECTION TO  
RECOMMENDATION OF THE MAGISTRATE JUDGE

COMES NOW THE PLAINTIFF NATHANIEL SHAW, (PRO SE)  
IN ACCORDANCE WITH THE FEDERAL RULES OF CIVIL  
PROCEDURE AND PURSUANT TO THE APPROPRIATE RULE  
AND AUTHORITY GOVERN BY THE CONSTITUTION OF THE  
UNITED STATES OF AMERICA, TO ENTER THE PLAINTIFF  
OBJECTION TO THE RECOMMENDATION OF THE MAGISTRATE  
JUDGE THAT SHALL BE SET FORTH IN THIS MOTION.

GROUND IN OBJECTION

THE PLAINTIFF NATHANIEL SHAW, (PRO SE)  
WITH ALL DUE RESPECT TO THIS HONORABLE COURT  
IN THE RECOMMENDATION OF THE MAGISTRATE  
JUDGE IN THE RECOMMENDATION OF A JURY TRIAL  
IN FAVOR OF THE PLAINTIFF. THE PLAINTIFF

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WOULD FIRST OBJECT TO THE CONSOLIDATION SHAW'S COMPLAINT (DOC. NO. 1) AND AMENDMENTS TO HIS COMPLAINT (DOC. NO. 30) DUE TO THE FACT THAT IN THE DEFENDANTS DESTRUCTION OF AN (EXHIBIT A) TO PLAINTIFF ORIGINAL COMPLAINT SHOW THAT REQUISITE INJURY HAS BEEN SUFFERED AND THE PLAINTIFF HAS BEEN DENIED ACCESS TO THE COURT, WHERE THE PLAINTIFF STATES IN HIS COMPLAINT (SEE EXHIBIT A) AND THERE IS NO (EXHIBIT A) TO SEE DUE TO THE FACT THE DEFENDANTS HAS SHREDDED IT. THE PLAINTIFF WILL STATE THAT THE FACTS AREN'T CORRECT. THE PLAINTIFF ASSERT THAT THERE ARE NO EFFECTIVE MEANS TO EXHAUST ADMINISTRATIVE REMEDIES. THE PLAINTIFF MOTION THIS HONORABLE COURT IN OBJECTION MARCH 20, 2008 (COURT DOC. NO. 74) IN WHICH THE PLAINTIFF SEEKS TO FILE A RESPONSE IN OPPOSITION TO THE DEFENDANTS FEBRUARY 22, 2008 RESPONSE, WHICH THIS HONORABLE COURT GRANTED (DOCUMENT #: 75-1) DATE FILED 03/21/2008 SIGNED BY CHIEF UNITED STATES MAGISTRATE JUDGE THE HONORABLE CHARLES S. COODY. ORDER ON MOTION (DOCUMENT #: 76-1) DATE FILED: 03/21/2008 (1.) THE MOTION TO COMPEL PRODUCTION BE AND IS HEREBY GRANTED (2.) ON OR BEFORE APRIL 3, 2008, THE DEFENDANTS SHALL FURNISH TO THE PLAINTIFF THE PHOTOGRAPH ATTACHMENT ON SEPTEMBER 5, 2007 AND A COPY OF THE

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RESPONSE AND EXHIBIT FILE ON FEBRUARY 22, 2008 SIGNED BY THE HONORABLE CHARLES S. COODY CHIEF UNITED STATES MAGISTRATE JUDGE (DOCKET ENTRY II 02/22/2008).

Pg. 29 OF 31 RECOMMENDATION OF THE MAGISTRATE JUDGE

#### VI. CONCLUSION

THE PLAINTIFF OBJECTION TO CONCLUSION NO. #1 BECAUSE THE MONTGOMERY COUNTY DETENTION FACILITY DEFENDANTS HAVE NOT COMPLIED WITH THE ORDER PREVIOUSLY ENTERED ON 03/21/2008 AND SUMMARY JUDGMENT CANNOT BE GRANTED.

Pg. 30 OF 31 CONCLUSION NO. #3 THE PLAINTIFF OBJECTION TO THE GRANTING SUMMARY JUDGMENT ON DOC. NOS. # 22, 23, 41, 47, 48, 49 IS OBJECTED TO BECAUSE . . . . HOW CAN YOU EXHAUST ADMINISTRATIVE REMEDIES THAT YOU HAVE NOT BEEN GIVEN NOTICE OF.

THE PLAINTIFF BEING ONLY A LAYMAN AT LAW AND NOT WANTING TO BE MISUNDERSTOOD IN ANY MANNER AND WITH ALL DUE RESPECT TO THIS HONORABLE COURT IN ITS RENDERING THE GRANTING OF A JURY TRIAL ON THE MAIN ISSUE FOR WHICH I DO THANK GOD. HOWEVER, THERE ARE OTHER ISSUES INVOLVED CONCERNING DOCTOR BATES, AND OTHER DEFENDANTS OF THE MONTGOMERY COUNTY

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DETENTION FACILITY THAT HAS LEFT THE PLAINTIFF WITH LARGE AREAS OF SKIN DISCOLORATION THAT WILL BE VISABLE FOR LIFE. THE PLAINTIFF OBJECT TO SUMMARY JUDGMENT BEING GRANTED ON THE ABOVE STATED REASONS WITH THE EXCEPTION OF THESE TWO DEFENDANTS SHERIFF MARSHALL AND CHIEF BAYLOR.

THE PLAINTIFF OUT OF RESPECT FOR THE (F.D.P.) AND THE AUTHORITY OF LAW WILL SUBMIT TO THE GRANTING OF SUMMARY JUDGMENT TO:

C. CLAIMS AGAINST SHERIFF MARSHALL AND CHIEF BAYLOR, THEM AND THEM ALONE AT THIS PRESENT TIME (RESPONDEAT SUPERIOR). I HUMBLY PRAY THAT THIS WHOLE MATTER CAN BE RESOLVED SOON.

IT IS SO PRAYED

UNDER THE PENALTY OF PERJURY.

DONE ON THIS 21<sup>st</sup> DAY OF APRIL 2008

RESPECTFULLY SUBMITTED

Nathaniel Shaw

NATHANIEL SHAW

# 89354 M.I.C.D.F.

P.O. BOX 4599

MONTBOMERY, AL

36103

## CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT APRIL 21<sup>st</sup>, 2008  
I MAIL THE FOREGOING VIA U.S. MAIL,  
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UNITED STATES DISTRICT COURT

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